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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/716,721	11/20/2000	Thomas Edward Horlander	RCA 89,324 / PU000125	9573
24498 7590 01/04/2007 THOMSON LICENSING INC. PATENT OPERATIONS PO BOX 5312 PRINCETON, NJ 08543-5312			EXAMINER HO, CHUONG T	
			ART UNIT 2616	PAPER NUMBER
			MAIL DATE 01/04/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	<p>Application No. 09/716,721</p>	<p>Applicant(s) HORLANDER ET AL.</p>	
	<p>Examiner CHUONG T. HO</p>	<p>Art Unit 2616</p>	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 November 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: _____.
- Claim(s) objected to: _____.
- Claim(s) rejected: _____.
- Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See attachment.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

1. The response after final office action filed 11/16/06 have been entered and made of record.

2. In the page 4, lines 12 – 14, the applicant alleged that “ Zaun fails to remedy at least the above discussed deficiency of Swenson, namely, that Swenson fails to teach of suggest enable logic coupled to each of said plurality devices and adapted to provide at least one data valid signal that identifies which of said plurality of devices is associated with a particular packet of said time-division multiplexed serial data”.

Examiner respectfully disagrees.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combination of references. Applicant obviously attacks references as show above. With respect to Swenson, the applicant seems to argue points the examiner has already construes Zaun does teach while restricting the arguments on the Swenson – Zaun combined to arguments on no motivation.

Zaun discloses enable logic (figure 2, from PID Table) coupled to each of said plurality devices (figure 2, packet buffer 104) and adapted to provide at least one data valid signal that identifies which of said plurality of devices is associated with a particular packet of said time-division multiplexed serial data (see figure 2, [0020], if the PID table 122 returns a “valid” bit, either alone or with a “priority” bit if the IP control logic 202 is in a priority mode, the packet will be considered validated and send to the packet buffer 104 for storage).

In the page 5, lines 8-9, the applicant alleged that "Swenson and Zaun fail, in any combination, to teach or suggest the recited serial-to-parallel converter of claim 1".

The examiner respectfully disagrees.

Swenson discloses a serial to parallel converter (see figure 1, col. 2, line 18, col. 3, lines 5-7, a serial-to-parallel converter).

Zaun discloses the recited serial-to-parallel converter of claim 1 (see [0020], to converted data from the serial-to-parallel converter 200 is then sent to an input processor (IP) control logic block 202).

In the page 6, lines 1-4, the applicant alleged "Applicant again directs Examiner's attention to the fact that Swenson shows registers 21-28 for providing serial to parallel output, but says nothing about providing the packet to one of a plurality of devices associated with data applications.

Swenson shows registers 21-28 for providing serial to parallel output (see col. 3, lines 53-55).

Zaun discloses serial to parallel output (see [0019], input data is sent to a serial-to-parallel converter 200 which converts the serial input stream from the input interface 118 to 8-bit parallel data), providing the packet to one of a plurality of devices associated with data applications (see [0003], there are some applications where it is desirable to generate two or more output streams from the input streams) (see figure 2, [0020], if the PID table 122 returns a "valid" bit, either alone or with a "priority" bit if the

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IP control logic 202 is in a priority mode, the packet will be considered validated and send to the packet buffer 104 for storage).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG T. HO whose telephone number is (571) 272-3133. The examiner can normally be reached on 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

12/20/06



HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600